

CONSENT DECREE

FOR CASES WITHOUT CHILDREN

YOU CAN USE THIS PACKET IF ALL THIS IS TRUE:

- You or the other party filed a Petition for divorce or legal separation.
- You and the other party agree on all terms of the divorce or legal separation.
- You and the other party do not have children under age 18, and the wife is not pregnant by the husband.
- You do not have a covenant marriage.
- You want to conclude your case.

Before signing a court document or getting involved with a court case, it's important to see an attorney to make sure you're doing the right thing. The Self-Help Center has information on finding an attorney.

INSTRUCTIONS

STEP 1: FILL OUT THE STIPULATION TO PROCEED BY CONSENT DECREE

STEP 2: FILL OUT THE CONSENT DECREE

STEP 3: FILE THE FOLLOWING WITH THE COURT

Take or mail the original and two copies of the following to the Clerk's Office in the Coconino County Courthouse at 200 N. San Francisco St., Flagstaff, AZ 86001.

- ☐ Stipulation to Proceed by Consent Decree
- ☐ Consent Decree

If Respondent has not already paid or deferred it, also take or mail Respondent's \$284 filing fee. The Clerk's Office accepts cash, money orders, and cashier's checks payable to "Clerk of Superior Court". If you can't afford the fee, see the Self-Help Center packet *Getting Help With a Filing Fee*.

The Clerk will stamp your copies with the filing date and return them to you for your records. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the date-stamped copies to you.

STEP 4: WAIT FOR THE COURT TO CONTACT YOU

If the court approves your Consent Decree, the court will sign it and mail a copy to both parties.

If the court does not approve your Consent Decree, the court will contact both parties to tell you how to proceed.

Petitioner's Name: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

Respondent's Name: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO

Petitioner: _____ Case Number: DO _____

**STIPULATION TO PROCEED BY
CONSENT DECREE OF:**

☐ **PARENTING TIME, LEGAL
DECISION-MAKING, AND CHILD
SUPPORT**

☐ **AND PATERNITY**

☐ **DIVORCE**

☐ **LEGAL SEPARATION**

☐ **WITH MINOR CHILDREN**

☐ **WITHOUT MINOR CHILDREN**

Respondent: _____

We agree on all the terms of this case as listed on the proposed Consent Decree, and we agree to proceed by consent. If this is a divorce or legal separation, at least 60 days have passed since the Petition was served on Respondent.

Child Support: *(Leave blank if there are no children in your case.)* We agree on the child support listed in:

- ☐ The Petition
☐ The Response
☐ The Consent Decree
☐ The document called: _____
that was filed on this date: _____

Sign in front of a notary. Notaries are at the Self-Help Center in the Courthouse and at most banks or listed in the Yellow Pages. The person signing must bring photo ID. Notaries usually charge a fee.

OATH AND VERIFICATION:

I have read this Stipulation. It is true and complete to the best of my knowledge.

Petitioner's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal:

Notary Public: _____

Notary Expiration Date: _____

I have read this Stipulation. It is true and complete to the best of my knowledge.

Respondent's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal:

Notary Public: _____

Notary Expiration Date: _____

Petitioner: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

Respondent: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self _____

SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO

Petitioner: _____ Case Number: DO _____

CONSENT DECREE OF:

☐ **LEGAL SEPARATION**
☐ **DIVORCE**
WITHOUT MINOR CHILDREN

Respondent: _____

THE PARTIES STATE:

We each have paid an appearance fee or been granted a fee deferral. We agree upon the terms of this Decree. We agree to proceed by consent. We believe that no duress or coercion is involved in these agreements. We understand we each may retain legal counsel of our choice. We understand we are waiving the right to trial. We believe the division of property in this Decree is fair and equitable. At least 60 days have passed since the Petition was served on Respondent. We do not have a covenant marriage. We have no biological or adopted children together, and the wife is not pregnant by the husband. We understand the effect this Decree would have on any protective orders between us. We understand that protective orders will not change unless the court changes them.

THE COURT FINDS:

This case has come before the court for a Consent Decree. The court has taken all testimony needed, or determined testimony is not needed, to enter a final Decree. The court has jurisdiction over the parties under the law, and the provisions of the Decree are fair and reasonable under the circumstances. The parties have met the Consent Decree requirements. The conciliation provisions have been met or do not apply. The parties have no biological or adopted children together, and the wife is not pregnant by the husband.

For a Consent Decree of Legal Separation: The parties' non-covenant marriage is irretrievably broken, or at least one party desires to live separate and apart. At least one party lived in Arizona, or was stationed in Arizona while a member of the armed services, on the date the Petition was filed. Respondent does not object to a decree of legal separation.

For a Consent Decree of Divorce: The parties' non-covenant marriage is irretrievably broken. At least one party lived in Arizona for at least the 90 days before the date the Petition was filed.

THE COURT ORDERS:

For a Consent Decree of Legal Separation: The parties are legally separated.

For a Consent Decree of Divorce: The parties' marriage is dissolved.

Spousal Support:

- ☐ Neither party is entitled to spousal support.
- ☐ ☐ Petitioner or ☐ Respondent shall receive \$_____ per month in spousal support from the other party beginning the first day of the month after the Decree is signed because he/she:
- ☐ Lacks sufficient property to provide for his or her reasonable needs
 - ☐ Is unable to support himself or herself through appropriate employment
 - ☐ Is the custodian of at least one child whose age or condition is such that the person should not be required to seek employment outside the home
 - ☐ Lacks earning ability in the labor market adequate to support himself or herself
 - ☐ Contributed to the educational opportunities of the other spouse
 - ☐ Had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself or herself

Payments shall be made by the first day of each month thereafter and continue until the receiving party is remarried or deceased or until _____. Payments shall be made through the Support Payment Clearinghouse by automatic wage assignment.

Property and Debts:

If you own any property or owe any debts, or if your spouse does, you must list them. See the Instructions in this packet for details.

Community property and debts are divided and separate property and debts are confirmed as follows.

	Value	Petitioner	Respondent
Community Property:			
<u>Real Estate:</u>			
Address: _____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
Legal Description: _____			

	Value	Petitioner	Respondent
Address: _____	\$ _____	[]	[]

Legal Description: _____

Bank Accounts:

Enter the name on the account and the account description (for example, "savings").

_____	\$ _____	[]	[]
_____	\$ _____	[]	[]
_____	\$ _____	[]	[]
_____	\$ _____	[]	[]

Motor Vehicles:

Make: _____	\$ _____	[]	[]
-------------	----------	-----	-----

Model: _____

Lienholder: _____

Last Four Digits of VIN: _____

Make: _____	\$ _____	[]	[]
-------------	----------	-----	-----

Model: _____

Lienholder: _____

Last Four Digits of VIN: _____

Employment Benefits:

Examples: 401K, retirement accounts, pensions.

Enter name on the account and the fund name.

_____	\$ _____	[]	[]
_____	\$ _____	[]	[]
_____	\$ _____	[]	[]
_____	\$ _____	[]	[]

Other Community Property:

[] The parties have already divided all remaining property, and the court confirms that division, except as follows.

	Value	Petitioner	Respondent
--	-------	------------	------------

Household Furniture and Appliances:

_____	\$ _____	[]	[]
_____	\$ _____	[]	[]
_____	\$ _____	[]	[]
_____	\$ _____	[]	[]

Other:

_____	\$ _____	[]	[]
_____	\$ _____	[]	[]
_____	\$ _____	[]	[]
_____	\$ _____	[]	[]

	Value	Petitioner	Respondent
Community Debts:			
<i>Enter the name on the account, creditor, and description (for example, "credit card").</i>			
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>

Separate Property:			
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>

Separate Debts:			
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>

Each party shall pay all debts unknown to the other party. Each party shall pay his or her debts forward from the date the Petition was served on Respondent. This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfers of title ordered in this Decree, such as for motor vehicles, houses, and bank accounts. The parties shall transfer all real and personal property to the other party as ordered within 10 calendar days after the judge signs the Decree.

Enforcement of Temporary Orders: *(Leave this paragraph blank.)* For obligations ordered to be paid in the temporary orders dated _____ ☐ they are satisfied in full or ☐ judgment is awarded against the party with the obligation. The amount owing as of the date of this Decree is \$_____. At the legal rate of interest, the total amount currently owing is \$_____.

Names (for Divorce only):

Petitioner's former name is restored to: _____
Respondent's former name is restored to: _____

Final Appealable Order: Pursuant to Rule 89, Arizona Rules of Family Law Procedure, this final judgment/decreed is settled, approved and signed by the court and shall be entered by the clerk.

Other Orders:

Date: _____ Superior Court Judge: _____

APPROVED BY:

Sign in front of a notary. Notaries are at the Self-Help Center in the Courthouse and at most banks or listed in the Yellow Pages. The person signing must bring photo ID. Notaries usually charge a fee.

I have read this Consent Decree and agree to be bound by its terms and conditions.

Petitioner's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal:

Notary Public: _____

Notary Expiration Date: _____

I have read this Consent Decree and agree to be bound by its terms and conditions.

Respondent's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal:

Notary Public: _____

Notary Expiration Date: _____

Date: _____

Petitioner's Attorney's Signature

Date: _____

Respondent's Attorney's Signature